Remarks for the "Response to Final Office Action dated 1/26/2007"

[0001] Applicant respectfully requests reconsideration and allowance of all of the pending claims of the application. Claims 1, 3-25, and 74-77 are presently

of the pending claims of the application. Claims 1, 3-23, and 74-77 are presently

pending. Independent claims 1 and 73 have been amended. Claims withdrawn

or cancelled herein are 2, and 26-72. New claims added herein are none.

Formal Request for an Interview

[0002] If the Office's reply to this communication is anything other than

allowance of all pending claims, then I formally request an interview with

Examiner Kang. I encourage Examiner Kang to call me—the undersigned Attorney for the Applicant—so that we can talk about this matter so as to resolve

any outstanding issue quickly and efficiently over the phone.

[0003] Otherwise, please contact me or my assistant to schedule a date

and time for a telephone interview that is most convenient for both of us. While $% \left\{ 1,2,\ldots,n\right\}$

email works great for us, I welcome your call to either of us as well. Our contact

information may be found on the last page of this response.

Claim Amendments

[0004] Applicant amends claims 1 and 73 herein. The new claims are

amended in order to expedite prosecution and quickly identify allowable subject

matter.

Serial No.: 09/695,812 Atty Docket No.: MS1-0547US Atty/Agent: Jason F. Lindh

ICC Shayes The Business of IP THE Manual Report Source Sou

Substantive Claim Rejections

Claim Rejections under §§ 102 and 103

[0005] Claims 1-8, 10-12, 14 and 73-75 have been rejected under 35 U.S.C.

 \S 103(a) as being unpatentable over U.S. Patent No. 6,801,937 to Novaes in view

of U.S. Patent No. 6,519,615 to Wollrath. Claims 9 and 13 have been rejected under 35 U.S.C § 103(a) as being unpatentable over Novaes and Wollrath in view

of U.S. Patent No. 6,801,937 to Hipp. Claim 76 have been rejected under 35

or old ratality for 0,002,557 to rippir daily 70 have been rejected and 05

U.S.C \S 103(a) as being unpatentable over Novaes and Wollrath in further view

of U.S. Patent No. 6,529,953 to Van Renesse. The Applicant respectfully

traverses these rejection, but in an attempt to advance prosecution, has

amended the claims to incorporate allowable subject matter.

[0006] The Examiner has indicated that claims 15-25 and 77 are allowable.

Specifically, the Examiner has indicated in the January 26, 2007 office action that

these claims are allowable because the prior art cited fails to teach or suggest

managing network traffic based on network filters received from one or more

cluster operations management consoles and remote consoles, wherein the management component gives precedence to those from the cluster operations

management consoles over that from remote consoles. The applicant thanks the

Examiner for the acknowledgement of allowance of this subject matter.

[0007] Independent claims 1 and 73 have thus been amended to

incorporate similar elements. Specifically independent claim 1 has been

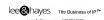
amended to include the element that:

a cluster operations tier to manage the operation of the computers without concern for what applications are executing on the one or more computers, wherein the cluster operations tier is responsible for securing a computer cluster boundary <a href="https://docs.ps.ess.org/based-on-network-filters-received-from-a-cluster-operation-tier-console-giving-precedence-to-those-from-the-cluster-operation-tier-console-over-the-remote-console-to-prevent-a-plurality of other computers that are not part of the computer cluster from accessing the one or more computers in the computer cluster.

Additionally, independent claim 73 has been amended to include the element that:

a second tier, implemented by a cluster operations management console and a remote console that establishes network traffic boundaries based on network filters, giving preference to those from the cluster operations management console over that from the remote console, corresponding to a hardware operator that is to manage hardware operations of the computer but not application software operations of the computer;

[0008] In light of the amendments herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks Examiner Kang to withdraw these rejections.



Dependent Claims

[0009] In addition to their own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that Examiner Kang withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0010] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, **Examiner Kang is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

By:

Respectfully Submitted

Dated: 4.6.07

Jason F. Lindi Reg. No. 59,090 (509) 324-9256 x215 jason@leehayes.com www.leehayes.com

My Assistant: Carly Taylor (509) 324-9256 x264

carly@leehayes.com

